

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES (Small Entity)**

Docket No.  
040A.0001.U1(US)

In Re Application Of: Gross

Serial No.  
09/338,729

Filing Date  
June 23, 1999

Examiner  
Yu and Padmanabhan

Group Art Unit  
1617

Invention:

Composition and Method for Treating Skin

TO THE COMMISSIONER FOR PATENTS:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the Primary Examiner dated November 19, 2003 finally rejecting Claim(s) 10-26, 31-33, 36-53, 62-84

Applicant is a small entity under 37 CFR 1.9 and 1.27.

A verified statement of small entity status under 37 CFR 1.27:

- ☐ is enclosed.
- ☒ has already been filed in this application.

The fee for this Notice of Appeal is: \$165.00

- ☒ A check in the amount of the fee is enclosed.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-1924

*Christine W. Beninati*  
Signature

Dated: May 18, 2004

Christine W. Beninati (Reg. No. 37,967)  
Harrington & Smith, LLP  
4 Research Drive  
Shelton, CT 06484-6212  
203-925-9400  
Customer No. 29683

I certify that this document and fee is being deposited on 5/18/04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Ann Okrentowich*  
Signature of Person Mailing Correspondence

Ann Okrentowich

Typed or Printed Name of Person Mailing Correspondence

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